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11 First Franklin Mortgage Loan Trust, Mortgage Asset-Backed Certificates, Series 2007-FF1

12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 U.S. BANK, NATIONAL ASSOCIATION AS
15 TRUSTEE FOR THE FIRST FRANKLIN
16 MORTGAGE LOAN TRUST, MORTGAGE
17 ASSET-BACKED CERTIFICATES, SERIES
18 2007-FF1,

19 Plaintiff,

20 vs.

21 SFR INVESTMENT POOL 1, LLC, a Nevada
22 Limited Liability Company; D'ANDREA
23 COMMUNITY ASSOCIATION, a Domestic
24 Non-Profit Corporation; ALESSI & KOENIG,
25 LLC, a Domestic Limited Liability Company,

26 Defendants.

27 SFR INVESTMENT POOL 1, LLC, a Nevada
28 Limited Liability Company,

Counterclaimant,

vs.

U.S. BANK, NATIONAL ASSOCIATION AS
TRUSTEE FOR THE FIRST FRANKLIN
MORTGAGE LOAN TRUST, MORTGAGE
ASSET-BACKED CERTIFICATES, SERIES
2007-FF1,

Counter-Defendant.

Case No.: 3:15-cv-00241-RCJ-WGC

**STIPULATION AND ORDER TO
DISMISS SFR INVESTMENTS POOL 1,
LLC WITH PREJUDICE**

1 Plaintiff/Counter-defendant, U.S. Bank National Association, as Trustee for the First
2 Franklin Mortgage Loan Trust, Mortgage Asset-Backed Certificates, Series 2007-FF1
3 (hereinafter "U.S. Bank") and Defendant/Counterclaimant, SFR Investments Pool 1, LLC
4 ("SFR") (collectively the "Parties"), by and through their respective undersigned counsel of
5 record, hereby stipulate to and agree, as follows:
6

- 7 1. This action concerns title to real property commonly known as 2546 Napoli Drive,
8 Sparks, Nevada 89434 ("Property") following a homeowner's association foreclosure
9 sale conducted on June 6, 2013, with respect to the Property.
- 10 2. As it relates to the Parties, a dispute arose regarding that certain Deed of Trust
11 recorded against the Property in the Official Records of Washoe County, Nevada as
12 Instrument Number 3469202 ("Deed of Trust"), and in particular, whether the Deed
13 of Trust continues to encumber the Property.
14
- 15 3. This Stipulation and Order is the result of a compromise resolution of this action and
16 shall not constitute or be construed as an admission of the facts or legal conclusions at
17 issue in this action, or an admission as to the validity of the allegations in future
18 actions.
19
- 20 4. With respect to this dispute, the Parties have entered into a confidential settlement
21 agreement pursuant to which Plaintiff shall record a reconveyance of the Deed of
22 Trust in the real property records of Washoe County, Nevada.
23
- 24 5. Plaintiff further expressly reserves all rights and interests in the loan secured by the
25 Deed of Trust, as well as its claims against Troy F. Rheame, including but not
26 limited, any actions to seek a deficiency judgment.
27
28

1 6. Plaintiff further expressly reserves all rights and interests in any excess proceeds from
2 the foreclosure sale of the Property from Alessi & Koenig, LLC.

3 7. The Parties have resolved all of their claims and disputes, and stipulate and agree to
4 the dismissal of all claims among them with prejudice, with each party to bear its own
5 costs and attorneys' fees.

6 8. The Parties further stipulate and agree that a copy of this Stipulation and Order may
7 be recorded with the Washoe County Recorder.
8

9 **IT IS SO STIPULATED.**
10

11 Dated this 18th day of October, 2018.

Dated this 18th day of October, 2018.

12 WRIGHT, FINLAY & ZAK, LLP
13

KIM GILBERT EBRON

14 /s/ Robert A. Riether

/s/ Jacqueline A. Gilbert

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23 First Franklin Mortgage Loan Trust, Mortgage

Attorney for Defendant/Counterclaimant, SFR

24 Asset-Backed Certificates, Series 2007-FF1

Investments Pool 1, LLC

Case No.: 3:15-cv-00241-RCJ-WGC

ORDER

IT IS SO ORDERED.

Dated: October 24, 2018


UNITED STATES DISTRICT JUDGE